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In re Application of	:	DECISION ON RENEWED
Jansson et al	:	
Application No.: 10/575,461	:	
PCT No.: PCT/SE2004/001467	:	
Int. Filing Date: 13 October 2004	:	PAPERS FILED
Priority Date: 13 October 2003	:	
Attorney's Docket No.: 05049.0008	:	
For: A DEVICE FOR CARRYING OUT A	:	UNDER 37 CFR 1.42
PERITONEAL DIALYSIS TREATMENT	:	

This is a decision on the "RENEWED REQUEST UNDER 37 CFR 1.42" filed 24 August 2009.

**BACKGROUND**

In a decision from this office dated 22 June 2009, the papers filed on 29 September 2008 were not accepted under 37 CFR 1.42. The reason was that it was not clear if Helen Thell was the sole heir of the deceased co-inventor, Bengt-Olov Thell.

On 24 August 2009, applicants submitted the renewed submission under 37 C.F.R. §1.42.

**DISCUSSION**

Applicant has provided a statement by the attorney, Mr. Chapman, which sets forth that Helen Thell is in fact the sole heir of the deceased co-inventor Bengt-Olov Thell.


Accordingly, the requirements under 37 CFR 1.42 are satisfied and the declaration is acceptable at this time as it now lists Helen's citizenship and residence.

It is noted that if she is executing the declaration as the sole heir of the deceased inventor then it is hereby construed as an indication that no legal representative of the deceased's estate has been appointed or is statutorily required to be appointed. If this interpretation is incorrect applicant is required to promptly notify the Office of such and to submit a declaration properly executed by the legal representative(s) of the deceased inventor in response to this decision.

**CONCLUSION**

The renewed submission filed under 37 CFR 1.42 is **ACCEPTED**.

The application is being returned to the United States Designated/Elected Office (DO/EO/US) for processing in accordance with this decision. The 35 U.S.C. § 371(c)(1), (c)(2), and (c)(4) date of this application as **24 August 2009**.

  
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